

IN THE DRAWINGS:

Please replace Figs. 14, 15A-15C, and 16 with the attached Replacement Sheets for these drawing figures. Figs. 14, 15A-15C, and 16 in the Replacement Sheets are now labeled with “Prior Art”.

REMARKS

The Office Action dated December 7, 2006, has been received and carefully noted. The above amendments to the specification, drawings, claims, and the following remarks, are submitted as a full and complete response thereto.

Claims 1-58 are pending, of which claims 1, 6, 13, 31, and 35 are independent. By this Amendment, claims 1, 4, 6, 9, 10, 12, 13, 18, 19, 31, and 35-40 have been amended. No new matter is presented and approval and entry is respectfully requested.

In Section 1, on page 2, of the Office Action, the Office Action objects to the Abstract of the disclosure because it contains more than 150 words. In response, Applicants submit herewith a substitute Abstract to replace the original Abstract. The substitute Abstract has about 127 words and which contains no legal claim terminologies so as to be in accordance to MPEP §608.01. Accordingly, the objection to the specification is respectfully requested be reconsidered and withdrawn.

In Section 2, on page 2, of the Office Action, the Office Action objects the drawings because Figs. 14 and 16 are not labeled as “prior art”. In response, Applicants submit herewith replacement sheets for Figs. 14, and 16 with proper labeling as “prior art”. Additionally, replacement sheets for Figs. 15A-15C are also submitted herewith.

In Section 4, on page 2, of the Office Action, claims 1-58 stand rejected under 35 U.S.C. §112, 2nd paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. The Office Action rejects claims 1, 6, 13, 31 and 35 for lacking antecedent basis for “the size of the

occupant”. The Office Action further rejects claims 4, 9, and 18 for containing abbreviation “SWM” or “SMWs”. In response, Applicants have amended claims 1, 4, 6, 9, 13, 31, and 35, as shown above, to overcome the rejections.

Further, the Office Action rejects independent claims 6 and 35, as well as their respective dependent claims because the Office Action deems the claim limitations are not clear and not acceptable. More particularly, the Office Action rejects claim 6 because the claim recites “a second sensor”, “second determination section”, and “a second calculating device” without any recitation of a previous first sensor, first determination section, and a first calculating device. The Office Action also rejects claim 35 for similar reason as the rejection of claim 6. In other words, the Office Action asserts that a claim must recite a first element before reciting a second element. In response, for the purpose of advancing prosecution, Applicants have amended claims 6 and 35, as shown above, to delete the word “second” where appropriate, even though the claim language of original claims 6 and 35 should be perfectly acceptable as explained hereinafter.

In order to be consistent with the amendment of claims 6 and 35, and in order to correct minor typographical errors, Applicants have also amended claims 9, 10, 12, 13, 18, 19, 31, and 36-40 as show above, without adding new matter. For example, Applicants have amended independent claim 13, as shown above, to correct a minor typographical error by deleting the word “third” from the phrase recitation “third determination section” because there is no first or second sections in claim 13 or in its dependent claims.

Despite amending claims 6, 9, 10, 12, 13, 18, 19, 31, and 36-40, as discussed above to overcome the §112, 2nd paragraph, rejection, Applicants respectfully traverse the indefiniteness rejection of claims 6-12, 35-39, and 51 for the reasons provided below.

By Applicants' lexicographic right, original independent claim 1 recites one embodiment which contains a first sensor section having, among other things, a plurality of seat electrodes, while original independent claim 6 recites another embodiment which contains, among other things, a second sensor section having a plurality of back section electrodes. That is, each of independent claims 1 and 6 is directed to a distinct and different scope without any structural or functional conflict of the claimed features between claims 1 and 6. By such recitations, original independent claim 13 becomes more readable as features of original claims 1 and 6 are combined in the scope of original claim 13.

Still further, the first sensor section in original claim 1 and the second sensor section in original claim 6 are merely names given by Applicants who are their own lexicographer. The first sensor sections and the second sensor sections recited in original independent claims 1 and 6, respectively, are not features that are dependent on one another. Hence, there is no ordinal characteristic associated with the recitation of the first sensor section of claim 1 and the second sensor section of claim 6. That is, there is no requirement that a first sensor section must exist or be recited in claim 6 before a recitation of a second sensor section.

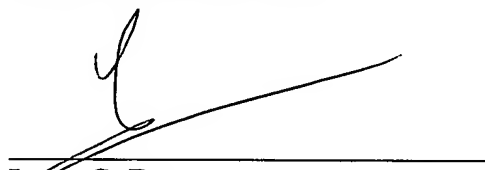
According to MPEP 2173.02, the examiner's focus during examination of claims for compliance with the requirement for definiteness of 35 U.S.C. 112, 2nd paragraph, is whether the claim meets the threshold requirements of clarity and precision, not whether more suitable language or modes of expression are available. Further, Applicants respectfully submit that, according to MPEP 2173.02, with or without amending claims in response to the rejection, if the examiner finds applicants' argument persuasive and that the indefiniteness rejection was improper, the examiner may withdraw the rejection.

In view of the amendments set forth above to overcome the §112, 2nd paragraph, rejection, Applicants respectfully submit that claims 1-58 are now in condition for allowance. Should the Examiner decide to withdraw the §112, 2nd paragraph, rejection, however, Applicants would further amend the claims substantially to their original form, except for the amendments made to correct typographical errors.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Luan C. Do', is written over a horizontal line.

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